IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 2078 OF 2007

Mukesh @ Pintya Jawaharlal. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

M.S.Kadu for the applicant.

K.V.Saste, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 24th July 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. The applicant is seeking bail in connection with C.R.No.I-256/2006 registered with Manpada Police Station, Kalyan for the offence punishable under section 304 and 201 of Indian Penal Code.

3. The co-accused in the very same C.R.No.I-256/2006, namely, Afsar Hussain Shaikh has already been granted bail by this Court vide order dated 25th April, 2007 passed in Criminal Application No.1341/2007. The learned counsel for the applicant, therefore, seeks bail in favour of the applicant on the ground of parity.

4. Having examined the facts and circumstances of the case, the role of the applicant in the alleged incident appears to be the same that of Mr.Afsar Hussain Shaikh, who has already been enlarged on bail. In the above view of the matter, I am inclined to grant bail to the applicant, subject to the following conditions:

(a) The applicant, arrested in connection with C.R.No.I-256/2006 registered with Manpada Police Station, Kalyan shall be enlarged on bail in the sum of Rs.25,000/- with one or two local sureties to make up the said amount.

(b) The applicant shall report to the Manpada Police Station once in a week, i.e. on every Friday between 3.00 to 5.00 p.m. till conclusion of the trial.

(c) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without prior intimation to the

investigating officer.

(d) The applicant shall not directly or indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

(e) The applicant shall co-operate with the investigating agency for disposal of the case. It is needless to mention that breach of any of the conditions by the applicant shall result in cancellation of bail.

(f) Any observation made in this order shall not be construed as finding or expression on merits of the case at the time of trial.

3. Application stands disposed of accordingly.

JUDGE